

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 96-1913**

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W. MCGILL WOODWARD; W. MCGILL WOODWARD, P.A.,

Plaintiffs - Appellants,

versus

BERNIE WEISS; AMERICAN MEDICAL ANALYSIS,  
INCORPORATED,

Defendants - Appellees.

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Appeal from the United States District Court for the District of  
South Carolina, at Charleston. Patrick Michael Duffy, District  
Judge. (CA-95-578-23-2)

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Submitted: July 31, 1997

Decided: October 2, 1997

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Before HALL, NIEMEYER, and HAMILTON, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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Stephen P. Groves, Sr., Thomas S. Tisdale, Jr., Stephen L. Brown,  
YOUNG, CLEMENT, RIVERS & TISDALE, L.L.P., Charleston, South  
Carolina, for Appellants. Thomas J. Wills, James E. Reeves,  
BARNWELL, WHALEY, PATTERSON & HELMS, L.L.C., Charleston, South  
Carolina, for Appellees.

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Unpublished opinions are not binding precedent in this circuit.  
See Local Rule 36(c).

PER CURIAM:

Dr. McGill Woodward appeals the district court's order granting Defendants summary judgment in this defamation action. We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we affirm on the reasoning of the district court. Woodward v. Weiss, 932 F. Supp. 723 (D.S.C. 1996).<sup>\*</sup> We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

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<sup>\*</sup> We adopt the district court's reasoning insofar as it relates to the issues of privilege only. We decline to determine whether the First Amendment protections discussed in Milkovich v. Lorain Journal Co., 497 U.S. 1 (1990), apply in this case involving a private Plaintiff, non-media Defendants, and statements of private concern, as resolution of the constitutional issue is not necessary to the disposition of the case. See Lapkoff v. Wilks, 969 F.2d 78, 81 (4th Cir. 1992).